

**FINAL**  
**Meeting minutes for Fast Track Workgroup**  
**December 10, 2002, 1:00 PM to 3:30 PM**  
**Shadeland, Conference Room K**

**Attendees include:**

Mary Ellen Gray, John Nixon, Bill Beranek, Bowden Quinn, David Kallander, Lonnie Brumfield, John Elliott, Keith Veal, Art Umble, and Neil Parke

**Purpose of Workgroup**

The purpose of this workgroup is to review the list of expedited rulemaking issues that the Triennial stakeholder workgroup identified and come to closure on the process for an expedited rulemaking. This list was identified by the Triennial stakeholder group to include changes based on best science (e.g., dissolved metals and free cyanide), updates of existing rule language and technical corrections and clarifications which have a reasonable potential of minimal controversy.

**Workgroup Discussion**

The workgroup discussed that a workplan wasn't needed for this group. Bowden expressed that a big concern of the environmental community is that they do not have the technical knowledge to know if the proposed changes are okay. The workgroup decided that there would potentially be at least two rulemakings. One for issues that will require very little or no discussion and one for issues that the group would like to see completed on an expedited schedule, but will require some discussion. The workgroup decided to go through the list and gain a better understanding of each issue and decide whether it should be part of the first rulemaking or second rulemaking. The group also decided that once these issues were identified, then they could be put together in a package for a rulemaking. This package would include a discussion of each issue.

**List review**

The group reviewed the December 6, 2002 list prepared by IDEM up to the top of page 5 – Article 5, Implementation procedures. All of the issues discussed were identified as ready to move forward as part of the first rulemaking except for the following issues:

Article 2, Criteria and Methodologies

- Methodologies for aquatic life

Several of the workgroup members had significant concerns about the aquatic life methodologies listed in the "ready to move forward section." The agency agreed to remove the aquatic life methodologies from this. The agency will follow-up on the concerns raised during the meeting and report back to the work group during a subsequent meeting.

Article 15

- Updates to the existing rule language

IDEM expressed that these changes will take some time to complete and should be part of the second rulemaking.

Article 5, Implementation Procedures

- Updates to the Basic NPDES Requirements

IDEM expressed that these changes will take some time to complete and should be part of the second rulemaking.

**Follow up issues**

Alaska rule. Is there an exemption for Region 6? Neil mentioned that Region 6 has allowed Texas to start implementing criteria that have not been approved by EPA. This is in conflict with what Region 5 has been saying to IDEM. We contacted David Pfeifer at Region 5 and asked him about it. He didn't know anything about this but indicated that he would follow up on it.

Phenol/BCC list. This issue needs to be discussed in further detail. IDEM will put together an issue paper on this for the February meeting, if necessary.

Industry comments on site specific methodologies. Neil and Bill wanted us to check the industry comments on the site specific criteria methodologies. IDEM will look into this and get back to the group.

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John Elliott questioned whether the potential deletion of this subsection should have been included on the list. John Nixon was going to look into whether SEA 431 covered this subsection.

Rulemaking format. John was going to look into the process for packaging (clustering) these issues into one rulemaking.

Next Meeting Date

January 16, 2003 – Shadeland Conference room D

Next Meeting issues

- Continue reviewing list of expedited rulemaking issues